

401 KAR 51:005. Purpose and general provisions.

RELATES TO: KRS 224.10-100

STATUTORY AUTHORITY: KRS 224.10-100

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100 requires the Environmental and Public Protection Cabinet to prescribe administrative regulations for the prevention, abatement, and control of air pollution. This administrative regulation establishes the general provisions as related to new sources with respect to the prevention of significant deterioration of air quality and construction of stationary sources impacting on nonattainment areas.

Section 1. Purpose. The purpose of this chapter is:

- (1) To prevent the significant deterioration of air quality in areas of the Commonwealth of Kentucky where the air quality is better than the ambient air quality standards contained in 401 KAR 53:010; and
- (2) To provide conditions for the construction of new or modified sources which would impact on nonattainment areas in order that major new or major modified sources will not exacerbate existing violations of the ambient air quality standards.

Section 2. General Provisions. (1) Performance tests. The owner or operator of an affected facility subject to this chapter shall be subject to the provisions of 401 KAR 59:005, Section 2.

(2) Notification and recordkeeping. The owner or operator of an affected facility subject to this chapter shall be subject to the provisions of 401 KAR 59:005, Section 3.

(3) Monitoring. The cabinet may require the owner or operator of an affected facility subject to this chapter to install, calibrate, maintain and operate continuous emission monitoring systems. All such continuous emission monitoring systems shall be subject to the provisions of 401 KAR 59:005, Section 4, and other provisions as the cabinet deems necessary. (5 Ky.R. 364; eff. 6-6-1979; TAm eff. 8-9-2007; Crt eff. 7-30-2018.)